



What is a Quasi-Judicial Hearing?

Quasi-judicial hearings are meetings in which a hearing body seeks to determine facts about a particular issue and exercises discretion to draw conclusions, applying the standards of an ordinance to the issue. The upcoming quasi-judicial hearing on the 9300 Collins Avenue project serves as an example of the process that leads to such a meeting, as well as what to expect during the meeting.

In this instance, the developer first submitted an application and a site plan to the Town of Surfside on May 31, 2018 for a proposed 207 room hotel development at 9300 Collins Avenue. The plans were reviewed by staff and a series of three Design Review Group (DRG) meetings were held between June 27 and November 1, 2018 to evaluate the site plan and review revisions. On November 29, 2018, the applicant presented to the Planning and Zoning Board. Following the recommendation by the Planning and Zoning Board, a Special Town Commission Meeting - Quasi-Judicial Hearing was scheduled for February 26, 2019.

At Tuesday's Special Town Commission Meeting, the Town attorney will be present and will explain a quasi-judicial hearing. The Town Commission will then hear from qualifying experts on the proposed project including the Town planner, staff and the applicant, including any experts the applicant may have, in order to make a judicial decision about whether or not the proposed plan meets the requirements of the Town Code. The public is also welcome to comment during the public comment portion of the meeting.

In a quasi-judicial hearing, the Town Commission are not allowed to take into consideration the popularity of a particular development proposal, conditional use or variance request. The Town Commission can only consider and make their decision based on the competent and substantial evidence that is testified under oath and presented at the hearing. Competent and substantial evidence is more than an opinion; it is fact-based testimony which provides a substantial basis from which the fact at issue can be reasonably inferred. The Town Commissioners are required to be neutral decision makers and are therefore not allowed to talk to people who are for or against the application prior to the hearing, or if they do, must disclose those conversations at the public hearing.

Quasi-judicial hearings are public and live-streamed on the Town website in addition to Channel 93. Residents who wish to comment upon an item must complete a Public Speaker's Card indicating the agenda item number on which they would like to comment. The agenda packet can be found here: https://townofsurfsidefl.gov/docs/default-source/default-document-library/town-clerk-documents/commission-agendas/2019-commission-agenda/2019-02-26-special-town-commission-meeting---quasi-judicial-agenda-packet.pdf?sfvrsn=525a5c94_2